

FILED  
Clerk  
District Court

OCT 13 2006

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA  
Plaintiff,

vs.

Zhou Qun aka Chen Huang Wu  
Defendant.

) CRIMINAL CASE NO.03-00041-014  
)  
)  
)

) **REQUEST TO VACATE WARRANT FOR**  
) **ARREST**  
)  
)  
)

On June 30, 2004, Zhou Qun aka Chen Huang Wu, was sentenced in the District Court of the Northern Mariana Islands to one year of probation with various conditions for Attempted Improper Entry by an Alien, in violation of 18 U.S.C. § 1325(a). Ms. Zhou's term of probation commenced immediately following her sentencing and expired on June 29, 2005.

On November 2, 2004, the District Court issued a warrant for Ms. Zhou's arrest pursuant to a petition and Supplemental Violation Report filed by U.S. Probation Officer Margarita Wonenberg for violation of probation conditions, to include that she left the judicial district without permission.

This Officer is requesting that the warrant of arrest for Zhou Qun be vacated. The warrant issued on November 2, 2004 was not supported by an oath or affirmation as required by the Fourth Amendment and as affirmed in the 9<sup>th</sup> Circuit decision in U.S. v. Vargas-Amaya.

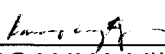
Respectfully Submitted,

FRANK MICHAEL CRUZ  
Chief U.S. Probation Officer

By:

  
\_\_\_\_\_  
MELINDA N. BRUNSON  
U.S. Probation Officer

Reviewed by:

  
\_\_\_\_\_  
ROSSANNA VILLAGOMEZ-AGUON  
U.S. Probation Officer  
Supervision Unit Leader

cc: AUSA  
Mark Smith, Defense Attorney  
File